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The Honorable Judge Vince Chhabria
450 Golden Gate Avenue
17th Floor, Courtroom 4
San Francisco, CA 94102

Dear Judge Chhabria:

We write to inform the Court of an additional potential episode of torrenting of books data, explained further below, that counsel for Meta has just identified in the course of reviewing materials pursuant to the Court's November 13, 2025 Order Granting Plaintiffs' Motion to Reopen Discovery (Dkt. 647 ("Reopening Order")). Meta is promptly providing the newly identified information to Plaintiffs and will continue to produce materials to Plaintiffs' counsel pursuant to the Reopening Order on a rolling basis. Meta also has begun meeting and conferring with Plaintiffs' counsel regarding this new information. In the meantime, Meta wanted to promptly update the Court given representations made by undersigned counsel at the recent November 10, 2025 hearing regarding Meta's lack of awareness of any further torrenting related to AI training that had not previously been disclosed to Plaintiffs.

Further background and explanation of this newly discovered information is as follows: Pursuant to the Court's Reopening Order, on Monday, November 17, 2025, Meta's counsel began review of custodial emails and Workchats (i.e., instant messages) for Mr. Guillaume Lample that hit on the search terms in Appendix C to Plaintiffs' motion.¹ This review included three Workchats between Mr. Lample and another Meta AI research engineer, appearing to discuss a download of the Libgen-SciTech dataset via torrent in October 2022. These Workchats were not returned by previous document searches or previously known to counsel for Meta. Like Mr. Lample, this engineer is a former Meta employee. Unlike Mr. Lample, however, this engineer was not part of the team developing the Llama models; instead, this engineer's role was conducting research for other non-Llama models. This engineer left the company in January 2023 and he was deposed in this case on December 18, 2024. Prior to the November 17, 2025 document review, counsel for Meta was unaware that this engineer may have torrented the entirety of Libgen-SciTech.

We thank the Court for its consideration and are prepared to appear for a further conference if the Court believes that would be helpful.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Kathleen R. Hartnett".

Kathleen R. Hartnett

¹ See Dkt. 635 at 5 ("Searches of Lample Files and Servers. . . . Plaintiffs therefore request that Meta (1) add Lample as a document custodian and run the search terms in Appendix C.").